

Without Prejudice
STATEMENT OF COMMON GROUND
Between the Appellant and Local Highway Authority
(Prepared by Stuart Michael Associates in consultation
with Hampshire County Council)

Land north of Goldring Close Mengham

Planning Inspectorate Reference Number: APP/X1735/A13/2192777

1.0 INTRODUCTION

- 1.1. Tolcarne Drive Developments Ltd (the Appellant) has applied to develop land North of Goldring Close and South of Beech Grove Mengham, Hayling Island for residential development.
- 1.2. The land is currently unused apart from grazing on short licences. It consists of two fields each between 2.1 – 2.3 ha in size.
- 1.3. The southern most field is allocated as a Reserve Housing Site in saved policy H4, which currently forms part of the local plan.

2.0 BACKGROUND

- 2.1. Stuart Michael Associates (SMA) in early 2011 prepared a highway feasibility report on the site for the appellant. The report considered the form and location of preferred access, trip generation and where off-site junction assessments should be undertaken.
- 2.2. It concluded that the principle point of access should be onto Beech Grove and based upon estimated trip generation, three off-site junctions should be assessed during the morning and evening commute peak hours.
- 2.3. In accordance with best practice, SMA arranged a meeting with Hampshire County Council Highways as the Local Highway Authority (LHA) (Ben Clifton) in May 2011, at the meeting the report was tabled and the findings of the report were agreed.
- 2.4. Prior to the preparation of the Transport Assessment (TA) and Residential Travel Plan (RTP) in April 2012 a scoping meeting was set up with HCC Development Planning officer Graham Wright and Greg Churcher to discuss proposals and to agree extent of TA assessment. On the 14 May Graham Wright in the form of an email requested that the three junctions identified in the appraisal report should be modelled for both the morning and evening peak hours.
- 2.5. On 28 June 2012 the Appellant arranged a one day public exhibition whereby the proposals were explained to members of the public and elected Council Members. Representative experts from SMA attended the exhibition throughout.

- 2.6. In August 2012 a draft TA and TP was submitted to HCC for comment. This resulted in a letter dated 30 August 2012 from Greg Churcher (Appendix A refers) confirming that in general the finding of the TA and TP were acceptable but concern was raised with the access arrangement to the site. The concerns related to the perceived difficulty of differentiating between the site access and the private road and the narrowness of the meander and the increased likelihood of vehicles travelling on the wrong side of the road.
- 2.7. SMA revised the access arrangements taking onboard HCC concerns. An e-mail dated 5 September 2012 from Greg Churcher confirmed that the revised access arrangement was acceptable in principle to the Highway Authority to allow the scheme to be subject to a Road Safety Audit. A Stage 1 Safety Audit was undertaken of the revised access and no major problems were identified.
- 2.8. An outline planning application was submitted to Havant Borough Council (HBC) in September 2012 for 131 residential units (Ref:- APP/12/00996). The application was accompanied by a TA and RTP.
- 2.9. In November 2012 SMA was contacted by David Murphy of HCC Development Planning stating that at a scheme liaison meeting concern had been raised with the proposed access arrangements and felt that in the light of the concerns it was appropriate to request a formal Design Check.
- 2.10. The Appellant subsequently agreed to the Design Check and forwarded the appropriate Design Check submission together with the fee.
- 2.11. At the closure of the formal planning consultation process, the LHA informed Havant Borough Council that the Highway authority were objecting to the access arrangements, as at that time a formal design check had not been undertaken to ensure that a suitable access arrangement was achievable.
- 2.12. On 21 December 2012 the application was refused by Havant Borough Council by Delegated Powers. The reasons for refusal relate to:

1 Strategic planning, policy and housing land supply matters;

2. The character of the area and the potential impact on the area between Gable Head and Mengham and the nearby Chichester Harbour's area of Outstanding Natural Beauty

3.The potential effect on the Chichester and Langstone Harbour's SPA / Ramsar site and the associated Chichester Harbour SSSI

4 The loss of two TPO trees due to the siting of the proposed vehicular access

5 The safety and suitability of the proposed vehicular access arrangements

6 The absence of an undertaking to confirm payment of contributions, delivery of affordable housing and related matters.

3.0 THE PROPOSAL

- 3.1. The proposed development is for outline planning consent for 131 dwellings on land South of Beech Grove Hayling Island. The development would consist of a mix of 2 bed flats, 2 bed houses, 3 bed houses, 4 bed houses and 5 bed houses.
- 3.2. Vehicular access is proposed from Beech Grove extending into the site with a change of priority to the existing Beech Grove / Hawthorne Grove junction.
- 3.3. An emergency / pedestrian /cycle route is proposed from the development onto St Margaret's Road.

4.0 EXISTING USES

- 4.1. The land is currently used for horse grazing and regular access for horse boxes, feeding and related activity is obtained via the existing access at the southern end of Beech Grove.
- 4.2. The southern part of the site (land north of Goldring Close) is allocated as a Reserve Housing Site in saved policy H4, which currently forms part of the local plan.

5.0 TRANSPORT ASSESSMENT

- 5.1. In accordance with best practices and with due regard to the published guidance by the Department for Transport guidance entitled 'Guidance on Transport Assessment' early discussions were held by SMA with the LHA to scope the requirements of the Transport Assessment.
- 5.2. A Transport Assessment (TA) was subsequently prepared by Stuart Michael Associates (SMA) and submitted to the LHA. The document considered the existing traffic conditions and reported upon the potential development traffic generation and its impact on the surrounding road network.

6.0 TRAFFIC DATA

- 6.1. At the scoping meeting with HCC the Highway Authority requested that peak hour traffic data should be collected at the following junctions:
 - Beech Grove and Tournerville Lane
 - Tournerville Lane / Elm Grove / St Mary's Road / Church Road junction
 - Church Road / Manor Road / Havant road roundabout

- 6.2. In addition, the latest traffic data across Hayling Bridge was procured from HCC.

7.0 TRIP RATES

- 7.1. The trip rates were derived from the TRICS database. The TRICS analysis included those sites which were judged to best reflect the location and characteristics of the proposed development. Trip rates of 0.608 for the am peak hour and 0.707 for the pm peak hour were agreed.

8.0 TRIP DISTRIBUTION

- 8.1. Trip distribution was based upon the 2001 residence and workplace census data. This data confirmed that circa 91% of the trips would distribute off of Hayling Island towards Havant with the remaining 9% of trips confined to Hayling Island.
- 8.2. The methodology behind the trip rate, trip generation and distribution of traffic has been agreed by the LHA.

9.0 TRIP ASSIGNMENT

- 9.1. Trips were assigned to the local road network based upon the trip distribution derived from the 2001 census data resulting in the majority (91%) of traffic utilising the A3203 Langstone Road as this is the only available carriageway towards Havant. The trip assignment from the development has been agreed with the LHA.

10.0 ACCESS ARRANGEMENTS

- 10.1. Since the refusal notice SMA has provided a speed survey and traffic count undertaken in proximity to the junction of Hawthorne Close and provided a Non Motorised Audit to HCC.
- 10.2. Various vehicle tracking drawings were also provided to assist in the Design Check process.
- 10.3. Hampshire Engineering Consultancy have reviewed the access proposal and are satisfied that a suitable arrangement is both achievable and deliverable and that remaining details of the proposed works can be confirmed as part of the Section 278 process required prior to construction.

11.0 CAR PARKING AND CYCLE PARKING

- 11.1. It is proposed that adequate car parking provision will be provided within the development complying with the latest car parking standards.
- 11.2. Cycle parking will be provided in garages or garden shed.

12.0 TRAFFIC IMPACT

- 12.1. The increase in traffic generated by the proposed development has been added together with traffic growth to existing traffic flows and the relevant junctions have been tested for capacity.
- 12.2. All junction tests have demonstrated that all junctions continue to operate within capacity. The LHA agreed with the methodology of the junction testing and its findings which were included in the TA.

13.0 ACCESSIBILITY

- 13.1. There are a range of facilities located on Elm Grove within 630m walking distance of the site consistent with the characteristics of a local neighbourhood centre. These facilities include a Coop convenience store; Hayling Island Health Centre; library; banks; Post Office; Mengham Infants and Junior School and Hayling College.
- 13.2. Typical frequency of 15 minutes bus services run along Elm Grove connecting with Havant and the railway station in Havant between Mondays and Saturdays.

14.0 LOCAL HIGHWAY IMPROVEMENT WORKS AND HAMPSHIRE COUNTY COUNCIL'S TRANSPORT CONTRIBUTIONS POLICY

- 14.1. The Appellant has agreed that a contribution to HCC is necessary for the development to be acceptable in planning terms. The development will generate a number of additional multimodal trips on the local highways and transportation network. It is necessary for the development to mitigate the impact of these additional trips on the local transport network as a result of the proposed development through the provision of appropriate infrastructure improvements or through the provision of financial contributions toward infrastructure improvements.
- 14.2. A contribution to mitigate the impact of the development has been agreed with the appellant. The following paragraphs provide a summary of the methodology for calculating the level of mitigation required and the reconciliation of this calculation to the Community Infrastructure Levy Legislation (CIL).

Transport Contributions Policy

- 14.3. A Transportation Contributions Policy (TCP) was adopted by HCC in September 2007 after a period of consultation and review. It was subsequently adopted by HBC. The Policy uses a formulaic approach to calculating the level of mitigation required which is based on the likely transport impact of each development. This is in accordance with the advice in Circular 05/05 and 'Planning Obligations Practice Guidance' (DCLG 2006) which encourages local authorities to employ formulae and standard charges where appropriate as part of their framework for negotiating and securing planning obligations (paragraph B33).

- 14.4. The Transport Contributions Policy includes the net increase in the number of multi-modal trips that the development is expected to generate which is then multiplied by a financial value. The financial value is based on the known cost of providing off-site transport infrastructure at new development sites across Hampshire in 2006/07. This provides a cost per dwelling which can then be applied directly to the scale of the development proposal. The Transport Contributions Policy is included in Appendix B.

Impact of the Development

- 14.5. The net multimodal impact of the development has been quantified through the application of the adopted Transport Contributions Policy and agreed with the Appellant. This is based on the net increase of 129 new residential units – demolition of two 3 bed units, and cost of measures associated with providing a Travel Plan, this results in a contribution of £449,800. This highway contribution has been agreed with David Murphy email dated 19 April 2013 confirms.

Mitigation

- 14.6. The proposed development would create an additional burden on the transport network at both the local and strategic level. The Havant Borough Transport Statement (HBTS – included in Appendix C) identifies the infrastructure requirements to accommodate the anticipated growth in traffic across the borough. Subsequently it has identified that the cost of providing this infrastructure is £18,391,000 with a funding shortfall of £15,509,000.
- 14.7. It is necessary for the proportionate impact of the development to be mitigated by contributing towards the cost of required infrastructure.
- 14.8. The contribution will be towards a number of improvements in the local and strategic area relevant to the transport impact and requirements of the development. The improvement schemes are set out below and are attached as Appendices to this Statement of Common Ground as Appendix D.
- Toucan Crossing: upgrade informal crossing of A3023 Langstone Road to toucan at junction of Mill Lane – Estimated cost £80k;
 - On road cycle route: over Langstone Bridge between Langstone sailing club and Northney Road - Estimated cost £60k (40k required);
 - Bus Punctuality Improvements: over Langstone Road A3023 bridge – Estimated cost £10k;
 - Footpath Upgrade: upgrade existing footpath (88/102) to allow cycle use – Estimated cost £50k
 - Pelican Crossing: Upgrade of existing zebra crossing on Elm Grove to a pelican by Hayling Billy public house – Estimated cost £70k

- Pelican/Toucan Crossing: on Elm Grove by Hayling Island Health Centre – Estimated cost £70k
- Footway/cycleway: Hayling billy to the ferry and 'Inn on the Beach' to Eaststoke – Estimated cost £260k
- Off road cycle route: 'Inn on the Beach to Staunton Avenue; and Eaststoke to Creek Road – Estimated cost £100k
- Pedestrian Refuge: Across Beach Road to improve access to Hayling Park – estimated cost £15k
- Improved access kerbing: along stagecoach route 30/31 from Hayling Island to Havant – Estimated cost £20k
- Mengham Junior School: Access improvement works to rear (east of school) Estimated cost TBC
- Cross Borough Bus Rapid Transport: Havant to Portsmouth – Estimated cost £1,500,000

15.0 CIRCULAR 05/2005

15.1. Statutory Instrument 2010 No.948 Clause 122 limits the use of planning obligations and states that obligations must be:

- i) necessary to make the development acceptable in planning terms;
- ii) directly related to the development; and
- iii) fairly and reasonably related to the scale and kind to the development.

Necessary

15.2. The objectives contained within the Hampshire Local Transport Plan (LTP) are to develop transport improvements that support growth and sustainable development . The Hayling Island corridor is subject to AM and PM peak Hour congestion. The Havant Borough Transport Statement (HBTS) identifies that the main challenges for this area are improving connections to Hayling Island due to seasonal and peak hour congestion along with finding ways to mitigate the travel demands arising from new developments and helping to facilitate lower carbon transport choice so as to provide better alternatives to the car.

- 15.3. It is agreed that the contribution is necessary to make the development acceptable in planning terms due to meet the challenges identified in the HBTS and the need to provide the new infrastructure needed to accommodate the extra demands generated by the development. The contribution is also necessary to promote travel by means other than the private car and create a safe and sustainable development. As identified above, the contribution will be used to deliver a number of schemes including strategic improvements and improvements to local roads, speed management measures, pedestrian and cycle infrastructure.
- 15.4. The requirement for a contribution towards the improvements is also relevant in planning terms because it relates to the Government's and the Council's published policy documents such as the LTP and HBTS sustainability and growth agendas, and in particular, to encourage patterns of development which reduce the need to travel by private car and the new approach to local growth which encourages innovative ways of funding infrastructure to enable all parts of the country to benefit equally from sustainable economic growth (Local Growth White Paper). The contribution is also necessary to ensure that the opportunities for sustainable modes of transport are taken up in accordance with the National Planning Policy Framework (NPPF).

Directly related

- 15.5. It is agreed that the contribution is directly related to the proposed development as the infrastructure that will be funded by this appeal site will be of direct benefit to the users of the development as set out above. The infrastructure improvements are focused on delivering suitable highway, pedestrian and cycle facilities on routes from the appeal site to local services and communities facilities and encourage sustainable modes of travel.

Fair and reasonable in scale and kind

- 15.6. It is agreed that the contribution is fairly and reasonably related in scale and kind to the proposed development because it is calculated by reference to the increased number of new multimodal trips likely to be generated by a development of this size. As set out above, the methodology for calculating the increase in total trips from the development and the associated cost of infrastructure provision is based on sound methodology within adopted policy.
- 15.7. The agreed sum of £449,800 presents less than 3% of the total cost of transport infrastructure costed at £15,509,000 needed to support growth within the borough and as such is considered fair and reasonable.
- 15.8. This additional number of trips is then used to calculate the required level of contribution by applying a cost per trip calculated based on the known cost of providing transport infrastructure to support developments across Hampshire. A detailed breakdown for how the cost per trip is calculated is included in the Policy itself at Appendix B. The contribution is also reasonable in scale and kind as it is based on the actual impact of the development (i.e. net extra trips).

15.9. It is agreed that a contribution of £449,800 is therefore necessary to make the development acceptable in planning terms, directly related to the proposed development and reasonable in scale and kind to the impact of the development.

15.10. The agreed figure for the contribution is £449,800. This will be included in the Section 106 Agreement to be submitted prior to the Inquiry.

16.0 CONCLUSION

16.1. Subject to a Section 106 Agreement to secure the agreed access works as shown indicatively on Drawing 3726.002, implementation of the Residential Travel Plan and the payment of the £449,800 transport contribution, It is agreed that there are no objections to the appeal proposal on highway or transportation grounds.

Signed.....

David Murphy
Engineer on behalf of
Hampshire County Council Highways

Signed.....

David Wiseman
Associate Director at Stuart Michael Associates
On behalf of the Appellant